UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

FERNANDO GUERRA,	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 15-445S
	:	
RHODE ISLAND DEPARTMENT OF	:	
CORRECTIONS,	:	
Defendant.	:	

REPORT AND RECOMMENDATION

Patricia A. Sullivan, United States Magistrate Judge

Defendant Rhode Island Department of Corrections filed the pending Motion for Sanctions (ECF No. 13) on May 18, 2016, requesting that the case be dismissed as a sanction for Plaintiff's failure to respond to discovery and to comply with the Court's April 14, 2016, order directing him to respond on or before May 16. The motion was referred to me for determination and objections were due on June 6, 2016.

No responses had been filed as of June 10, at which point this Court issued an order for Plaintiff to show cause by July 1, 2016, why this case should not be dismissed based on his failure to respond to discovery, to comply with this Court's orders, or to object to the Motion for Sanctions. Plaintiff was warned that if he did not do so, the Court would recommend to the District Judge that this action be dismissed.

Plaintiff again did not comply with the Court's directive. No response was filed to the Court's June 10 order. In deference to Plaintiff's *pro se* status, the Court waited an additional five days before issuing this report and recommendation. The Court now recommends that this action be dismissed without prejudice and without costs.

Any objection to this report and recommendation must be specific and must be served and filed with the Clerk of the Court within fourteen (14) days after its service on the objecting party. See Fed. R. Civ. P. 72(b)(2); DRI LR Cv 72(d). Failure to file specific objections in a timely manner constitutes waiver of the right to review by the district judge and the right to appeal the Court's decision. See United States v. Lugo Guerrero, 524 F.3d 5, 14 (1st Cir. 2008); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603, 605 (1st Cir. 1980).

/s/ Patricia A. Sullivan
PATRICIA A. SULLIVAN
United States Magistrate Judge
July 6, 2016